

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

CESAR GUERRERO-MADRID,

Plaintiff,

vs.

FEDERAL HOME LOAN MORTGAGE  
CORPORATION; INDYMAC BANK, F.S.B.,

Defendants.

Case No. 2:13-cv-00432-APG-GWF

**ORDER**

Motion to Stay Discovery (#31)

This matter comes before the Court on Defendant Federal Home Loan Mortgage Corporation's ("Defendant") Motion to Stay Discovery (#31), filed on September 18, 2013. Defendant filed a Motion to Dismiss (#9) on March 21, 2013, which has been fully briefed since April 4, 2013. *See Reply, Doc. #16*. The Court entered a Scheduling Order (#28) on May 30, 2013. Defendant now seeks a stay in discovery pending a ruling on its Motion to Dismiss (#9), or, alternatively, an extension of the discovery period. Under the Scheduling Order (#28), however, the last date to complete discovery was September 17, 2013. *See Doc. #28* at 1:22. The Court is therefore unable to stay discovery. Additionally, the last day to request an extension of discovery was August 27, 2013. *See id.* at 2:9. Accordingly,

**IT IS HEREBY ORDERED** that Defendant's Motion to Stay Discovery (#31) is **denied** without prejudice. In the event the Motion to Dismiss (#9) is denied in whole or in part, the Parties shall be free to file a motion to reopen discovery.

DATED this 20th day of September, 2013.



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GEORGE FOLEY, JR.  
United States Magistrate Judge